UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 10/623,859 | 07/22/2003 | Tallienco Wieand H. Fockens | P69041US0 | 6406 |

136 7590 03/30/2005

JACOBSON HOLMAN PLLC
400 SEVENTH STREET N.W.
SUITE 600
WASHINGTON, DC 20004

| EXAMINER | |
|---|---|
| SHIMIZU, MATSUICHIRO | |
| **ART UNIT** | **PAPER NUMBER** |
| 2635 | |

DATE MAILED: 03/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/623,859 | FOCKENS, TALLIENCO WIEAND H. | |
| | Examiner | Art Unit | |
| | Matsuichiro Shimizu | 2635 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *22 July 2002*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-6* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 and 2* is/are rejected.

7)☒ Claim(s) *3-6* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *22 July 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

*Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rossi etal. (5,241,226) in view of Martinez (6,639,509).

Regarding claim 1, Rossi teaches a pre-amplification stages for input digital signal to a pre-amplification stages is provided with

a first and a second voltage source (Fig. 1, a first voltage source associated with V-1n1 and a second voltage source associated with sum of Voff and V-1n2) coupled to low pass filtering (Fig. 1, a low pass filtering associated with capacitance 33), each having an output for delivering its own, pre-set voltage (Fig. 1, pre-set V-1n1 and preset voltage associated with sum of Voff and V-1n2),

a transmitter circuit which comprises an output amplifier (Fig. 1, output amplifier V-0) and a supply input which is coupled to the output amplifier, and

an electronic switch (Fig. 1, 4 and 5) coupled between the supply input and the outputs of the voltage sources, and arranged to couple the supply input during modulation alternately (col. 1, lines 24-28, alternately closing switches 4 and 5) to the output of the first and second voltage source. But Rossi does not teach a first and a second, low pass filtering voltage source coupled to a single alternating switch; and a radio-frequency identification-interrogation unit for transmitting a radio-frequency signal to an identification label, which identification-interrogation unit.

However, Rossi teaches a first and a second voltage source (Fig. 1, a first voltage source associated with V-1n1 and a second voltage source associated with sum of Voff and V-1n2) coupled to low pass via switch 4 and 5 alternately activated (Fig. 1, col. 1, lines 24-28, switches 4 and 5). Furthermore, one of ordinary skill in the art recognizes a first low pass filtering voltage source upon closing switch 4 (switch 5 open) and a second low pass filtering voltage source upon closing switch 5 (switch 4 open) wherein switches 4 and 5 are activated alternately provides same function as a first and a second, low pass filtering voltage source switched alternately by a single switch. Therefore, it would have been obvious to a person skilled in the art at the time of invention was made to include a first and a second, low pass filtering voltage source coupled to a single switch as a matter of choice in design because Rossi suggests a first and a second voltage source coupled to low pass via switch 4 and 5 alternately activated and one skilled in the art recognizes a first and a second, low pass filtering voltage source coupled to a single alternating switch is a matter of choice in design through routine experimentation in order to achieve optimum operation.

Furthermore, Martinez teaches, in the art of filtering system, a radio-frequency identification-interrogation unit for transmitting a radio-frequency signal to an identification tag coupled to low pass filter (col. 55 to col. 6, line 11, RFID interrogator coupled to Low pass filter) for the purpose of attenuating high frequency component. Therefore, it would have been obvious to a person skilled in the art at the time the invention was made to include a radio-frequency identification-interrogation unit for transmitting a radio-frequency signal to an identification label in the device of Rossi because Rossi suggests low pass filter associated with pre-amplification unit and Martinez teaches a radio-frequency identification-interrogation unit for transmitting a radio-frequency signal to an identification label, which identification-interrogation unit for the purpose of attenuating high frequency component.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rossi in view of Martinez as applied to claim 1 above, and further in view of Nilsson (Electric Circuit, Addison-Wesley, pages 230-233, July 1983)).

Regarding claim 2, Rossi teaches a radio-frequency identification-interrogation unit according to claim 1, wherein the output amplifier comprises at least one parallel capacitor (Figs. 1 and 2a, parallel capacitor 12 coupled to closed switches 5, 31 and 35, and open switch 34) and wherein the identification-interrogation unit is provided with a coil coupled between the electronic switch and the output amplifier, and wherein the wire, together with the at least one parallel capacitor (Fig. 2a, parallel capacitor 12), forms a low pass filter. But Rossi in view of Martinez does not teach a coil coupled between the electronic switch and the output amplifier, and wherein the coil, together with the at least one parallel capacitor, forms a low pass filter.

However, Nilsson teaches, in the art of filtering system, a coil (fig. 8.10, coil with L) coupled between the electronic switch and the output amplifier, and wherein the coil, together with the at least one parallel capacitor, forms a low pass filter for the purpose of filtering out high frequency generated by activation of switch. Therefore, it would have been obvious to a person skilled in the art at the time the invention was made to include a coil coupled between the electronic switch and the output amplifier, and wherein the coil, together with the at least one parallel capacitor, forms a low pass filter in the device of Rossi in view of Martinez because Rossi in view of Martinez suggests the wire, together with the at least one parallel capacitor and Nilsson teaches a coil coupled between the electronic switch and the output amplifier, and wherein the coil, together with the at least one parallel capacitor, forms a low pass filter for the purpose of filtering out high frequency noise generated by activation of switch.

***Allowable Subject Matter***

Claims 3-6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 3, the prior arts fail to teach or fairly suggest a resonating antenna loop for transmitting the radiofrequency signal, which identification-interrogation unit is provided with a settable resistance parallel to the output amplifier, with a setting range such that a damping factor of the low pass filter can be set such that, in combination with the Q factor of the resonating antenna loop, the radiofrequency current through the antenna loop is modulated in an optimum ratio between rise time and the width of the modulation sidebands.

Claims 4-6 are directly/ or indirectly dependent on claim 3, therefore, the prior arts fail to teach or fairly suggest claims 4-6 for same reason that the prior arts fail to teach or fairly suggest claim 3.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matsuichiro Shimizu whose telephone number is 571-272-3066. The examiner can normally be reached on Monday through Friday from 8:00 AM to 4:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik, can be reached on 571-272-3068. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703-305-8576).

Matuichiro Shimizu
March 16, 2005

BRIAN ZIMMERMAN
PRIMARY EXAMINER